

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7, 15-45, 58-72, 74-75, and 77-78 are currently pending.

Claims 1, 15, 22, 34, 58 and 70 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### II. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-7, 15-45, and 58-72 were rejected under 35 U.S.C. §103 as allegedly unpatentable over

1. U.S. Pat. No. 7,154,534 to Seki et al. ("Seki") in view of
2. U.S. Pat. App. Publ. No. 2001/0040592 of Foreman et al. ("Foreman") in view of
3. U.S. Pat. No. 5,889,916 to Kimura et al. ("Kimura") in view of
4. U.S. Pat. App. Publ. No. 2003/0147629 of Kikuchi et al. ("Kikuchi") et al. in view of
5. U.S. Pat. No. 6,606,117 to Windle; and

Claims 74, 75, 77, and 78 were rejected under 35 U.S.C. §103 as allegedly unpatentable

over

1. Seki,
2. Forman,
3. Kimura,
4. Kikuchi,
5. Windle and further in view of
6. U.S. Patent No. 6,546,187 to Miyazaki et al. ("Miyazaki").

Applicant respectfully traverses these rejections.

Independent claim 1 is representative and recites, *inter alia*:

"associating music data of a specified length of time with the particular scene;

...

wherein the specified length of time of the music data is automatically corrected when the period of the particular scene is changed."

As recited in claim 1, music of a specified length of time is associated with each scene.

Associating music with a scene is common in video production. In art cited in the Office Action, when music is associated with a scene, the length of time that music played is also specified.

In contrast, in the invention as recited in claim 1, once the music is associated with a scene of a specified length of time, changes to the period of time a scene also automatically changes the length of time of the associated music. That is, the length of time the music plays is dependent on, and automatically changed when, the length of time of the particular scene is changed

For example, in the case of background music, as shown in FIG. 7(b), music data M1 associated with scene #1 is set as music data to be played for 5 seconds. When the period of scene #1 is changed to 10 seconds, the time for which music data M1 is played is automatically corrected to 10 seconds. In other words, the play end point is corrected to the time code 00:00:10:00.

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Neither Miyazaki, Seki, Foreman, Kimura nor Windle adds the element missing from Kikuchi.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 15, 22, 34, 58 and 70 are also believed to be patentable.

### III. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Claims 1-7, 15-45, 58-72, 74-75, and 77-78 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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